



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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IN RE:

GENERAL MOTORS LLC IGNITION SWITCH
LITIGATION

14-MD-2543 (JMF)
14-MC-2543 (JMF)

This Document Relates to All Actions

ORDER NO. 71

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JESSE M. FURMAN, United States District Judge:

**[Regarding the Disclosure of Non-Confidential Pretrial Discovery Materials and
Amendment to Order No. 10 to Protect the Privacy Interests of Third Parties]**

Pursuant to the Court’s July 24, 2015 Opinion and Order concerning the motion by General Motors LLC (“New GM”) for a protective order regarding pretrial discovery materials (14-MD-2543 Docket No. 1207), the parties submitted an agreed proposed protective order covering the disclosure of certain deposition testimony.

Having considered the parties’ agreed-upon submission, and for good cause shown, the Court hereby ORDERS as follows:

1. In order to protect “deposition testimony or information contained in personnel files — information that could be used to embarrass, harass, or violate the privacy interests of third parties to this litigation” (*id.* at 11), Order No. 10 is hereby amended to explicitly allow personnel files and/or personally sensitive employment-related information not already in the public domain to be treated as “Confidential” under Order No. 10, including but not limited to: ratings, salary, comments on performance, and employees’ testimony regarding performance of other current or former employees (“Employment-Related Material”).

2. In addition, in order to protect the “interests of non-parties — including current and former New GM employees already deposed in this litigation — in avoiding embarrassment, harassment, and invasions of privacy,” which the Court ruled “are weighty enough to justify some restrictions on the dissemination of discovery” (*id.* at 10), prior to public disclosure of any deposition testimony or documents which have not been designated as Confidential or Highly Confidential by any party under Order No. 10 (14-MD-2543 Docket No. 294) (including reference to the substance of such testimony or documents), Plaintiffs must provide counsel for defendants and the deponent’s individual counsel, if applicable, five (5) days’ written notice and the opportunity to object to such disclosure on the grounds that the deposition testimony or documents contain Employment-Related Material or other personally sensitive, non-public information that could be used to embarrass, harass, or violate the privacy interests of non-parties and third parties to this litigation (“Personally Sensitive Material”). The process for Plaintiffs to challenge any such objection shall be the same as the process for challenging the designation of Confidential Material and Highly Confidential Material set forth in Paragraph 4 of Order No. 10.

3. The Court may enter additional and/or modified protective orders regarding the disclosure of pretrial discovery materials as circumstances require.

SO ORDERED.

Dated: August 7, 2015
New York, New York



JESSE M. FURMAN
United States District Judge